

Plaintiffs' Exhibit 84

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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES, et al.,)	
)	
Plaintiffs,)	
v.)	No. 1:23-cv-00108-LMB-IDD
)	
GOOGLE LLC,)	
)	
Defendant.)	

**PLAINTIFF UNITED STATES OF AMERICA’S SECOND SUPPLEMENTAL
RESPONSES TO DEFENDANT GOOGLE LLC’S FIRST AND SECOND SETS OF
INTERROGATORIES TO THE UNITED STATES AND FIRST SUPPLEMENTAL
RESPONSES TO DEFENDANT GOOGLE LLC’S FIFTH SET OF
INTERROGATORIES TO THE UNITED STATES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and Local Civil Rule 26(c) of the U.S. District Court for the Eastern District of Virginia, Plaintiff United States of America (“United States”) provides the following supplemental responses to Defendant Google LLC’s (“Google’s”) Interrogatory Nos. 4–5, 9, 14, 17, 22–29 to the United States (the “Responses”). These Responses are subject to the United States’ Objections to Google’s First Set of Interrogatories to the United States, dated April 11, 2023, the United States’ Objections to Google’s Second Set of Interrogatories to the United States, dated June 22, 2023, and the United States’ Objections to Google’s Fifth Set of Interrogatories to the United States, dated August 24, 2023, which the United States previously served on Google in this action (collectively, the “Objections”). The United States incorporates those Objections by reference as though fully restated herein.

DEFINITIONS USED IN RESPONSES

1. “Air Force” means the United States Air Force, a component of the United States Department of Defense.

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2. “Army” means the United States Army, a component of the United States Department of Defense.
3. “Census Bureau” means the United States Bureau of the Census.
4. “CMS” means the Center for Medicare and Medicaid Services in the Health and Human Services Administration.
5. “Navy” means the United States Navy, a component of the United States Department of Defense.
6. “NHTSA” means the National Highway Traffic Safety Administration.
7. “USPS” means the United States Postal Service.
8. “The V.A.” means the United States Department of Veterans Affairs.

SUPPLEMENTAL RESPONSES TO INTERROGATORIES

Subject to and without waiving the United States’ previously served objections, the United States provides the following supplemental information responsive to Interrogatory No. 4, Interrogatory No. 5, Interrogatory No. 9, Interrogatory No. 14, Interrogatory No. 17, and Interrogatory Nos. 22 through 29.

INTERROGATORY NO. 4: Separately for each agency and department of the United States that is a “buyer[] of open web display advertising” (as alleged in Paragraph 341 of Your complaint) or has used Ad Tech Products or Display Advertising during the Relevant Period, provide the following information about each Ad Tech Product (whether provided by Google or any other Ad Tech Provider) that the agency or department used:

- a. the type of Ad Tech Product used;
- b. the Ad Tech Provider;
- c. the amount of ad spend by month;
- d. the amount of Fees or Take Rate by month;
- e. the dates during which the Ad Tech Product was used;
- f. all reasons for using and/or switching from one Ad Tech Product to another; and
- g. if applicable, all reasons for ceasing use of the Ad Tech Product.

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Supplemental Response to Interrogatory No. 4

For the reasons stated in the United States’ objections and during negotiations with Google regarding the scope of these responses, it is not feasible or proportional for the United States and the Federal Agency Advertisers (“FAAs”) to undertake the level of inquiry necessary to identify all the information requested in Interrogatory No. 4. As such, the United States limits its response to purchases of open web display advertising underlying the United States’ claim for damages during the Damages Period, which include purchases made via Google’s DV360, Google Ads, and AdX products. Subject to the foregoing and the Objections, the United States responds with Appendix A for Interrogatory Nos. 4(a), 4(b), 4(c), 4(d), and 4(e).

The United States derived the data in Appendix A from data produced by Google and third parties, including: Google’s Google Ads, XP_Daily, DV360, and DV360 XBridge data (GOOG-AT-MDL-DATA-000486626–GOOG-AT-MDL-DATA-000488277, GOOG-AT-MDL-DATA-000558890–GOOG-AT-MDL-DATA-000559276, GOOG-AT-MDL-DATA-000488278–GOOG-AT-MDL-DATA-000508815, GOOG-AT-MDL-DATA-000561263–GOOG-AT-MDL-DATA-000561420), data produced by third party The Trade Desk (TTD_DOJ-GOOG23-0012987; TTD_DOJ-GOOG23-0033644), and data produced by third party Aptive from Basis DSP (“2023-05-05 Aptive data, Data Request 1: Centro Basis DSP Data Files”).

For Google DV360 XBridge, XP_Daily, and Google Ads data, the United States applied the following filters: (1) Transaction Type = Open Auction; (2) Environment = Desktop, Mobile Web, and Web; (3) Device Type = Tablet, Mobile, and Desktop; (4) Product Area = DVA; (5) Ad Format = Display and Video; (6) Instream Outstream = Outstream and [blank]. For Google DV360 data, the United States applied the following filters: (1) Auction Type Name =

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Open_Auction; (2) Environment Name = XBID_ENVIRONMENT_WEB_NOT_OPTIMIZED and XBID_ENVIRONMENT_WEB_OPTIMIZED; (3) Mobile Type Name = Computer, Smartphone, and Tablet; (4) Ad Format Type Name = XBID_AV_AD_TYPE_DISPLAY and XBID_AV_AD_TYPE_VIDEO; (5) Instream Flag = False and [blank]. For The Trade Desk data, the United States applied the following filters: (1) Inventory Type = Display, Mobile Standard Web, Mobile Optimized Web, Video, Mobile Video Standard, and Mobile Video Optimized Web; (2) Media Type = Display; (3) Market Type = Open Market; (4) Supply Vendor = Google. For Basis DSP data, the United States applied the following filters: (1) Environment = Desktop, Phone, and Tablet; (2) Format = Display; (3) Transaction Type = DSP – Open; (4) Ad exchange = Google.

For the DV360 table, rows are sourced from either DV360 (each individual 3PE using the Exchange Name variable) or DV360 XBridge (where Inventory Source = AdExchange or AdSense; where Inventory Source = AdExchange, the United States also applied the filter Pub Product = ‘AdExchange’ and ‘AdExchange – Video’). For the Google Ads table, rows are sourced from the Inventory Source variable, where Inventory Source = AdExchange, 3PE, or AdSense.

The United States is still investigating the full scope of the Ad Tech Products through which the FAAs purchased open web display advertising and awaiting additional information from Google that may allow for identification of additional purchases or other refinement of these responses. The United States reserves the right to supplement this response with additional Ad Tech Products as it continues its investigation.

Subject to the foregoing objections, the FAAs respond as follows for Interrogatory Nos. 4(f) and 4(g).

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Supplemental Response to Interrogatory No. 4 for Air Force

The Air Force relies on its ad agency's expertise to manage and operate various Ad Tech Products to execute digital media purchases on the Air Force's behalf. The Air Force provides its ad agency direction on each of its ad campaigns' goals and the outcomes the Air Force expects to achieve with each ad campaign. Based on the Air Force's direction, the ad agency uses its expertise to recommend Ad Tech Products to use to achieve those goals and outcomes.

Supplemental Response to Interrogatory No. 4 for Army

The Army relies on its ad agency's expertise to manage and operate various Ad Tech Products to execute digital media purchases on the Army's behalf. The Army provides its ad agency direction on each of its ad campaigns' goals and the outcomes the Army expects to achieve with each ad campaign. Based on the Army's direction, the ad agency uses its expertise to recommend Ad Tech Products to use, and in some cases cease using, to achieve the goals and outcomes. In or around late 2021 to early 2022, the Army went from using both Verizon DSP and Google DV360 as Demand Side Platforms to using only Google DV360 based on overall cost value to the Army.

Supplemental Response to Interrogatory No. 4 for Navy

The Navy relies on its ad agency's expertise to manage and operate various Ad Tech Products to execute digital media purchases on the Navy's behalf. The Navy provides its ad agency direction on each of its ad campaigns' goals and the outcomes the Navy expects to achieve with each ad campaign. Based on the Navy's direction, the ad agency uses its expertise to recommend Ad Tech Products to use to achieve the goals and outcomes.

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Supplemental Response to Interrogatory No. 4 for Census Bureau

Census Bureau relied on its ad agency's expertise to evaluate the requirements for paid media and recommend how best to meet those requirements from a delivery, optimization, and reporting standpoint. Census Bureau ceased use of Google DV360 when the 2020 Census Integrated Communications campaign ended.

Supplemental Response to Interrogatory No. 4 for CMS

CMS uses, switches, or ceases to use Ad Tech Products based on a number of factors, including how well each Ad Tech Product performs with CMS's different target audiences, and the ability to test different strategies across Ad Tech Products and assess return on investment and efficiency in achieving CMS's goals.

Supplemental Response to Interrogatory No. 4 for NHTSA

NHTSA relies on its ad agencies' expertise to manage and operate various Ad Tech Products to execute digital media purchases on NHTSA's behalf. NHTSA provides its ad agencies direction on each of its ad campaigns' goals and the outcomes NHTSA expects to achieve with each ad campaign. Based on NHTSA's direction, the ad agencies use their expertise to recommend Ad Tech Products to use and, and in some cases to cease using, to achieve NHTSA's goals and outcomes.

Supplemental Response to Interrogatory No. 4 for USPS

USPS relies on its ad agency's expertise to manage and operate various Ad Tech Products to execute digital media purchases on USPS's behalf. USPS provides its ad agencies direction on each of its ad campaigns' goals and the outcomes USPS expects to achieve with each ad campaign. Based on USPS's direction, the ad agency uses its expertise to recommend Ad Tech Products to use and, and in some cases to cease using, to achieve USPS's goals and outcomes.

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Supplemental Response to Interrogatory No. 4 for the V.A.

The V.A. relies on its ad agencies' expertise to manage and operate various Ad Tech Products to execute digital media purchases on the V.A.'s behalf. The V.A. provides its ad agencies direction on each of its ad campaigns' goals, audiences it hopes to reach, and the outcomes the V.A. expects to achieve with each ad campaign. Based on the V.A.'s direction, the ad agencies use their expertise to recommend Ad Tech Products to use, and in some cases to cease using, to achieve the V.A.'s goals and outcomes.

INTERROGATORY NO. 5: Separately for each agency and department of the United States that is a "buyer[]" of open web display advertising" (as alleged in Paragraph 341 of Your complaint) or has used Ad Tech Products or Display Advertising during the Relevant Period, identify each account associated with each Ad Tech Product used and provide:

- a. the dates during which each account was in use;
- b. all entities associated with each account;
- c. all account IDs (e.g., Google Customer IDs) associated with each account; and
- d. the individuals and entities, including external advertising Agencies, that had responsibility for and access to each account and the contact information for each individual and entity.

Supplemental Response to Interrogatory No. 5

Subject to and without waiving the foregoing objections, the United States responds as follows.

The United States does not have a source for comprehensive or accurate information about all account IDs associated with all FAAs or their advertising agencies in each ad tech tool or system, but the information in the table below represents the United States' understanding of identification numbers that may be associated with various ad tech tools and applications related to the FAAs or their advertising agencies.